IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION 5:05ev276

DANIELLE ANNA McMILLIAN,	
Plaintiff,	
Vs.	JUDGMENT
JO ANNE B. BARNHART, Commissioner of Social Security,	
Defendant.	

THIS MATTER having come before the court pursuant to 28, United States Code, Section 636(c) and upon plaintiff's Motion for Summary Judgment and the Commissioner's Motion for Summary Judgment, and it appearing that the final decision of the Commissioner is supported by substantial evidence and consistent with current law,

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that defendant's Motion for Summary Judgment (# 14) is **GRANTED**, plaintiff's Motion for Summary Judgment (#12) is **DENIED**, the final decision of the Commissioner's is **AFFIRMED**, and this action is **DISMISSED**.

Signed: May 26, 2006

ennis C. Hawel

Dennis L. Howell United States Magistrate Judge